

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

MICHAEL ANTHONY LORUSSO,)
)
Plaintiff,)
)
v.) No. 4:22-cv-00448-SPM
)
JOSH HAWLEY,)
)
Defendant.)

OPINION, MEMORANDUM AND ORDER

This matter is before the Court on plaintiff's motion to proceed in forma pauperis. Plaintiff, a prisoner, has filed at least three previous cases that were dismissed as frivolous, malicious, or for failure to state a claim.¹ Under 28 U.S.C. § 1915(g), therefore, the Court may not grant the motion unless plaintiff "is under imminent danger of serious physical injury."

After carefully reviewing the complaint, the Court finds no allegations that show plaintiff is in imminent danger of serious physical injury. As a result, the Court will deny the motion and dismiss this action without prejudice to refiling as a fully-paid complaint.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion for leave to proceed in forma pauperis [ECF No. 5] is **DENIED**.

IT IS FURTHER ORDERED that this action is **DISMISSED** without prejudice.

¹ *LoRusso v. McCabe*, No. 8:20-cv-1916-TPB-AEP (M.D. Fla. filed Dec. 15, 2020); *LoRusso v. Dillinger*, No. 8:20-cv-2748-WFJ-AAS (M.D. Fla. filed Nov. 23, 2020); *LoRusso v. Upton*, No. 1:03-cv-00190-WLS (M.D. Ga. filed Dec. 30, 2003); and *LoRusso v. Fayette County, et al.*, No. 1:03-cv-00005-WLS (M.D. Ga. filed Nov. 3, 2003).

A separate Order of Dismissal will accompany this Memorandum and Order.

Dated this 11th day of October, 2022.



HENRY EDWARD AUTREY

UNITED STATES DISTRICT JUDGE